

## SAMPLE ENROLLED BILL REPORT (0500)

(Revised 1996)

### ENROLLED BILL REPORT

AGENCY RESOURCES	BILL NUMBER SB 621
DEPARTMENT Forestry and Fire Protection (CDF)	AUTHOR Stirling

#### SUMMARY:

This bill provides counties with means in addition to ad valorem and nonproperty taxes to fund fire protection activities in areas other than those actively served by city or district fire departments. Among those means are benefit assessments which under this bill could be applied to statutorily defined state responsibility areas presently receiving fire protection under legislative mandate by the Department of Forestry and Fire Protection. The bill also exempts the Milford Fire Department from the district formation requirements of the Fire Protection District law of 1987.

#### HISTORY:

Under existing law, local agencies which provide fire suppression services directly or by contract with the state or a local agency are authorized to levy an assessment to pay for fire suppression services. Existing law also prohibits a benefit assessment from being levied for wildland or watershed fire suppression on land located in a state responsibility area. Existing law governing the formation of fire protection districts requires an election in order to form a new fire protection district.

#### IMPACT ASSESSMENT:

Counties would be provided additional means to fund fire prevention and suppression activities including those now enjoyed by special districts. However the effect of the language used would be to impliedly authorize counties to furnish wildland fire protection on areas now served by the state, which would result in duplication, potential conflicts and general confusion. Where counties assess benefit fees on state responsibility areas, but do not provide service, they would receive revenues for services applied and paid for by the State--something for nothing.

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Date: September 7, 1989

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RECOMMENDATION			
VETO			
DEPARTMENT HEAD	DATE	AGENCY HEAD	DATE

**ARGUMENTS PRO & CON:**

**Pro:** This bill gives counties another option for raising money to finance fire protection service. It also allows the timely formation of Milford Fire District.

**Con:** Counties would be able to make assessments on vacant land within SRA that is protected by CDF and our cooperators. Owners of unimproved SRA within a fire protection district may be assessed for local responsibility area fire protection but receive little or no benefits because CDF is the mandated fire service provider on SRA. Landowners could face double taxation. Fire Districts that make a benefit assessment for wildland or watershed fire suppression would be taxing landowners in addition to taxes the landowner pays to support CDF's wildland fire protection program that is financed by the General Fund. Counties with which CDF contracts to protect SRA could tax the landowners that are supporting CDF's General Fund allotments that support SRA protection in those counties. Counties have a sufficient number of other options to raise revenue for fire protection under the Government Code. Milford Fire District formation would be delayed.

**FISCAL EFFECT:**

This bill has no direct fiscal effect on the Department.

**REASON FOR RECOMMENDATION:**

This bill would authorize taxation for fire protection services on certain unimproved properties within the state that already receive fire protection services from CDF.

**FINAL VOTES:**

<u>Assembly (9/1/89)</u>		<u>Senate (6/1/89)</u>		<u>Concurrence (9/2/89)</u>	
Yes	70	Yes	40	Yes	40
No	0	No	0	No	0

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